

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GIITOU NEOR and TYRONE WALLACE, *on behalf
of themselves, FLSA Collective Plaintiffs, and the Class,*

Plaintiffs,

-against-

ACACIA NETWORK, INC.
d/b/a ACACIA NETWORK,
ACACIA NETWORK HOUSING INC.
d/b/a ACACIA NETWORK,
PROMESA RESIDENTIAL HEALTH CARE
FACILITY, INC.
d/b/a PROMESA, and
JOHN DOE CORP 1-100,

Case No.: 22-cv-04814-ER

**STIPULATION OF
DISMISSAL WITH
PREJUDICE F.R.C.P. 41(A)(1)
(a)(ii) AS TO OPT-IN
PLAINTIFFS JEFFREY
ARROYO, GARY WHYTE,
JOHNNY CRUZ, AND UNICE
WILLIAMS**

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through their respective counsel, that the Fair Labor Standards Act (“FLSA”) and the New York Labor Law (“NYLL”) wage claims of Opt-in Plaintiffs Jeffrey Arroyo, Gary Whyte, Johnny Cruz and Unice Williams are hereby dismissed with prejudice, as against Defendants, without costs or attorneys’ fees to any party, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). There has been no settlement of any kind between these Opt-In Plaintiffs and any of the Defendants in connection with the claims being voluntarily dismissed herein.

For the avoidance of doubt, Plaintiffs Gittou Neor and Tyron Wallace and all other remaining Opt-In Plaintiffs maintain their claims against Defendants.

LEWIS BRISBOIS BISGAARD & SMITH LLP LEE LITIGATION GROUP, PLLC

By: /s/ Simi Bhutani

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Date: November 21, 2024

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Date: November 21, 2024

SO ORDERED

U.S.D.J.